

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

BOBBY MORRIS, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

ACME ELECTRIC MOTOR, INC. D/B/A
ACME TOOLS

Defendant.

Case No.

4:25-CV-00020

JURY TRIAL DEMANDED

DECLARATION OF BOBBY MORRIS

1. My name is Bobby Morris. I am over 18 years old. I can testify competently to the undersigned statements.
2. My telephone number 636-XXX-XXXX is on the National Do-Not-Call Registry.
3. My telephone number 636-XXX-XXXX is a residential cellular telephone number.
4. I am the user of 636-XXX-XXXX.
5. The 636-XXX-XXXX number is registered in my name and I am the subscriber of record.
6. This number is used for personal, family, and household purposes.
7. I have never submitted my telephone number to Acme Tools on its website, nor ever seen any of its contents or terms and conditions, including the subject arbitration provision, prior to the Defendant filing its motion.
8. I am not and have never been a customer of Acme Tools, nor entered into any contract or agreement with them.

9. As such, I had no notice of the arbitration provision on Acme Tools' website and certainly did not agree to such provision because I did not submit any information to the website at all.

10. I did not have any notice of those terms and conditions until the Defendant filed its motion.

11. I certainly did not agree to arbitrate my claims against the Defendant, nor would I ever have agreed to do so.

12. I have never inputted any information, let alone my phone number, into the Acme Tools website, nor directed anyone to do so.

13. I have never agreed to arbitrate my claims against Acme Tools.

14. To be clear, I do nothing to precipitate the illegal messages which are placed to me. I do not want these communications, but they continue to be placed to me. They are highly annoying and disruptive, and are especially problematic after you ask them to stop but you are not able to get them to stop.


15. I do not welcome nor invite these illegal text messages and have taken measures for them to stop, including by placing my number on the Do-Not-Call Registry, texting stop when I receive them, and holding those who call me accountable for their actions.

16. My number is on the Do-Not-Call Registry, and I did not provide any consent for anyone to send the subject text messages to me.

17. I brought this case as a class action because I know that there are likely thousands more people in a similar situation such as myself, having received calls from Defendant without their consent, including after they texted "stop".

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 25th day of March 2025, in the United States of America,


Bobby Morris (Mar 25, 2025 15:31 CDT)

Bobby Morris